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MEMO ENDORSED

June 14, 2007

VIA FACSIMILE

Honorable Frank Maas
United States Magistrate Judge
Daniel Patrick Moynihan United States
Courthouse
500 Pearl Street, Room 740
New York, NY 10007-1312

Ronald S. Liebman
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Re: In re Terrorist Attacks on September 11, 2001, 03 MDL 1570 (GBD)(FM)

Dear Magistrate Judge Maas:

Pursuant to the Court's Order dated March 23, 2007, Your Honor granted the Plaintiff's application to take the deposition of Lawrence Smith, providing that it "shall be limited to three hours and shall be conducted before me." Order (MDL Dkt. # 1964), at ¶ 2; *see also* Transcript (March 23, 2007) (page 17, lines 12 - 20).

Counsel have conferred and, subject to Your Honor's availability, have agreed on the morning of Friday, July 27, 2007, as the date for this deposition. We suggest a 9:30 a.m. start time, if it is available on the Court's calendar. We understand that the witness and his counsel are also available on that date.

We would be grateful if you would let counsel know if this date and time are acceptable to the Court.

Very truly yours,

Ronald S. Liebman
Counsel for Defendant National Commercial Bank

RSL:jrd

cc: Mitchell R. Berger, Esq.
Robert T. Haefele, Esq.
Peter J. Kahn, Esq.
Tim J. Finn, Esq.

USDC SDNY
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So ordered
Advised
7/3/07